

**ISLAND COUNTY PLANNING COMMISSION
SUMMARY MINUTES
COMMISSIONER'S HEARING ROOM, COUPEVILLE, WA
MONDAY, JANUARY 11, 2016**

| | <i>Members Present</i> | <i>Members Absent</i> |
|-------------------|--------------------------------|-----------------------|
| <i>District 1</i> | <i>Val Hillers</i> | |
| | <i>Dean Enell – Vice Chair</i> | |
| | <i>Karen Krug</i> | |
| <i>District 2</i> | <i>Jeffery Wallin – Chair</i> | |
| | <i>George Saul</i> | |
| | <i>Darin Hand</i> | |
| <i>District 3</i> | <i>James Caspers</i> | |
| | <i>Beth Munson</i> | |
| | | <i>Scott Yonkman</i> |

Meeting was called to order at 2:04 p.m. by Chair Wallin.

ROLL CALL

Beth Munson, James Caspers, George Saul, Jeff Wallin, Val Hillers, Karen Krug, Darin Hand, Dean Enell

MINUTES

October 26, 2015

Commissioner Hillers moved to approve the minutes, Commissioner Munson seconded, motion carried with Commissioner Caspers abstaining since he wasn't present for that meeting.

September 28, 2015

Commissioner Caspers moved to approve the minutes, Commissioner Saul seconded, motion carried unanimously.

Planning and Community Development staff present: Keith Higman – Director of Long Range Planning, Brad Johnson – Long Range Planner, Meredith Penny, Long Range Planner, Nathan Howard, Long Range Planner

DIRECTOR'S REPORT

Long Range Planning Director Keith Higman had three items to discuss:

- He wanted to notify the members that on the 5th of January, WA State Department of Ecology issued their final approval of Island County Shoreline Master Program Comprehensive Plan Update. The new regulations take effect 14 days after the issuance of the decision. The new set of shoreline regulations will be effective on January 19, 2016. Applications submitted and deemed to be complete prior to that date will be processed under the existing rules. Applications received or not deemed completed after that day will be reviewed under the new shoreline development regulations.

- On the 23rd of December, 2015, the Western Washington Growth Management Hearings Board (WWGMHB) issued their decision on the work that the Planning Commission recommended and the Board of Commissioners approved. This work updated the County's agricultural exemption from the Critical Areas Ordinance and the Growth Board has deemed it to be compliant. The case has now been closed.
- Staff had an idea to engage the public in participating more in the Comprehensive Plan Update by asking members of the public to participate in a photo contest that will be part of the face page of each element.

ITEMS FROM THE PUBLIC

David Sheer, Oak Harbor

Mr. Scheer lives in an area that is an Urban Growth Area and zoned Planned Industrial. Between the two zones he is unable to get a building permit, he cannot live there, he is grandfathered in the house he is in now, but he has 40 acres on which he cannot build a mother-in-law house. He is hoping to get something changed. He would like to get something resolved, it has been 20 years. He came to the meeting to see if the rules can be changed to allow him to use his property.

Commissioner Saul asked if Mr. Sheer has been in contact with the Planning Staff.

Mr. Scheer responded he spoke to Brad Johnson. He has been to the County trying to get a building permit to fix his house.

Commissioner Hillers asked if he is unable to get a permit due to the Industrial zoning.

Mr. Scheer said due to the Industrial zoning he cannot live there and due to the Urban Growth Area he cannot build there. The combination was part of the Comprehensive Plan Update from 20 years ago. He was caught in the middle. He said he was not aware of this until he tried to get a building permit.

Keith Higman suggested allowing staff to assist Mr. Scheer and if he still has concerns about his property and what remedies are needed to address his concerns, the Planning Commission venue is the appropriate place to raise that issue. He would like to be able to research the property.

Brad Johnson said this subject will come up when changes are proposed to the Land Use Element in order to implement the Countywide Planning Policies, adopted by the County last year. Mr. Scheer's property is in an unincorporated Urban Growth Area associated with the City of Oak Harbor.

Those are the areas that are designated as Urban Growth Areas but have not been annexed by the City. In 1998, when the County adopted its Comprehensive Plan and the first set of Countywide Planning Policies, there were areas that were reserved for the development of industrial parks. The idea was that they would be quickly absorbed into the City and developed as such. In the interest of preventing incompatible development, new single family homes were not permitted in that zone. There will be changes contemplated on how the areas are managed in order to

implement the Countywide Planning Policies, which dictate a different process for managing those areas.

Commissioner Hillers said as the Comp Plan is being updated there is a need to update the policies to get those properties out of those situations.

Commissioners told Mr. Scheer, if he is unable to get an answer from staff he can write to the Planning Commission or attend another meeting.

Commissioner Caspers asked staff if there is a situation where someone owns property and the zoning changes afterwards whether or not they are grandfathered into the pre-existing situation?

Brad Johnson responded that typically existing uses are. If a person owns a home and a house is not permitted on the property they can continue to maintain and enlarge, modify that house; but the construction of new houses on a vacant parcel would not be allowed. Mr. Scheer's situation is unique because most of the zones do allow as an outright permitted use construction of a single family home. It is typically commercial and industrial uses that are prohibited or restricted.

NEW BUSINESS

Chair Wallin read the purpose of a Planning Commission Workshop.

The Planning Commission discussed receiving public comment and agreed to allow public comment.

Workshops: Planning staff will be discussing proposed changes to the elements listed below. This includes the reformatting and reorganization of the elements. It includes changes to the background/supporting information, minor policy changes related to outdated information and consistency with the Growth Management Act, as well as the Countywide Planning Policies and other Elements of the Comprehensive Plan.

Discussion on Draft Housing Element - The Housing Element includes an inventory and analysis of existing and projected housing needs, identification of sufficient land for housing, provisions for existing and projected housing needs as well as recommendations for meeting those housing needs.

Meredith Penny provided an overview of the draft Housing Element and the process the document went through for the update. The feedback staff would like from Planning Commission:

- The type of information they would like to see while keeping in mind the scope of work for the element.
- Goals and Policies section is where they would like to receive more feedback from them, in terms of wording choices and overall organization. The changes made to this section were generally updates to information and changes to meet requirements and improve clarity.

Planning Commission members made the following comments:

- Looking at the Housing Element, the outline is attractive and the goals are available right away.
- What does ACS stands for?
 - It stands for American Community Survey.
- The format is useful and meaningful compared to the last update.
- The first goal states *promote fair and equal access*, which is subjective language. A suggested change was, *encourage a wide range of housing options within reach of all income levels*.
- What is the intent regarding flushing out the plan between now and June? The intent for the more comprehensive update.
- Is staff actively reaching out for input from other groups?
 - Staff has reached out to Human Services for input.
 - The intent for updating prior to the deadline is for consistency and compliance.
 - There have been a number of conversations with the County Commissioners about the need for a large community conversation around affordable housing, but that is not the conversation that can be accomplished between now and June, it will be the next step in the process after June.

PUBLIC COMMENTS

Steve Erickson, WEAN

He said there are portions of the Housing Element that need a lot of work. He discussed comments he provided to the Planning Commission. He said there are four key items:

- There needs to be clear policies for determining for what purposes County owned lands are divested. It shows up in many elements, scattered throughout with no clear criteria for how the County decides what lands are divested and where they go to. There needs to be a unified section.
- There is a policy that talks about the need to minimize land use expenditures. That should be in land use element generally, not just the housing element. Discussed Ledgewood and the road situation there.
- He discussed a policy in the Housing Element that permits the County to lobby to weaken the Growth Management Act by trying to get the GMA amended so RAIDs could get to expand. They were GMA's way contain them to their boundaries and not let them expand. There is policy for the County to lobby to change that.
- Deadline in June; there are numerous policies that are not doable by June. They require coordination with other jurisdictions. It is a huge scope of work.

Planning Commissioners discussed the following items:

- Commissioner Hillers asked about the old housing element H-4.13. Discussion ensued and it was stated that staff would recommend staff strike it out. It was agreed this was a good suggestion. Accordingly H-4.15, staff's recommendation was to strike through the portion that says Island County RAIDs, when dealing with a transfer development rights

program. The incentive is to be able to fill at a higher density and RAID designations are already set, so a higher density would have to be allowed which would be complicated to achieve within GMA.

- Commissioner Enell read policy H-1.3: *Promote, as one of the mechanisms in the County for the development of affordable housing, the construction of multi-family units, primarily rentals, in areas where higher densities are permitted and where infrastructure, including public transportation, is already available.* It is one of the goals in the GMA – to put the growth where the infrastructure already exists.
 - Commissioner Saul asked if that is one of the motivations of striking through that section.
 - Brad Johnson responded, from staff's perspective, focusing on Urban Growth Areas, particularly UGAs the County is responsible for managing, like Freeland, and making sure infrastructure and zoning is there to support those types of housing.
 - Commissioner Saul asked if the units that just went in Sunnyside, fall within a RAID.
 - Mr. Johnson said it is within, the as yet, unimplemented Freeland Non Municipal Urban Growth Area. Hopefully, with the update of this Comprehensive Plan and the adoption of Development Regulations for Freeland, there won't be this kind of inconsistency.
 - Commissioner Munson asked if the multi-family property tax exemption has been addressed.
 - Brad Johnson said the County has not implemented that program, but many other jurisdictions have.
 - Commissioner Caspers said in reviewing the goals and policies it appears to be philosophical rather than regulatory, asking if that was the intent of this document. To state this is what they believe and hope to do.
 - Mr. Johnson responded, what Commissioner Caspers is describing is what is in the Comp Plan drafted in 1998. Staff would recommend more prescriptive language.
 - Further discussion continued on the Housing Element.
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- Commissioner Enell hoped to be able to find a way to beef up the Urban Growth Areas, putting a sewer in Freeland being a good example to get some of the population to move into those areas by making it attractive to them, as well as affordable.
 - Commissioner Munson stated mixed density, PRD's work well.
 - Commissioner Enell stated not one single application for a multi-family unit. Need to find the incentive to have it happen.
 - Commissioner Munson said public land can be sold to developers to incentivize the public sector.
 - Commissioner Enell commented on reduced fees for affordable housing in Island County.
 - Brad Johnson replied this is from the current Comp Plan, the Policy was included but never implemented; it would require a definition of what constitutes affordable housing as well as a revision to the fee schedule.
 - Commissioner Enell commented on the policy to create a position for affordable housing.

- Commissioner Caspers suggested these issues could be approached by use of committee, one for Whidbey and one for Camano.
 - Nathan Howard responded that Camano does not have an UGA and that would limit them.
 - Brad Johnson replied the Terry's Corner and the Camano Gateway Village Zone does allow for multi housing and has a significant amount of undeveloped land, there just haven't been any applications.
- Commissioner Hillers asked how the incentives can be paid for, acknowledging the need to be careful to avoid being taken advantage of. Need to decide which policies need to happen and the rest can be taken out.
- Commissioner Krug stated she does see the need for incentives as the key to make this happen.
- Commissioner Saul stated at first blush when talking to the Housing Authority is a sense that their time and their money is saturated with maintaining and administering the current inventory. His personal interest is in helping to determine how to make more units available.

Discussion continued on development incentives and affordable housing.

Joanne Pelant, through the Department of Human Services, provided some information, noting within their scope of work on housing, there has been a lot of research with all agencies across the county, providing housing, programs and some funding. Through their work, they have determined that for a number of reasons there has not been any affordable housing in decades. The county is many hundreds of units behind with only one development completed last year.

Part of what they are doing is reaching out to developers that are experts in developing affordable housing. There are pockets and pools of money that developers who specialize in building affordable housing are very much aware of. Housing Trust Fund dollars is one example as is Tax Credit Dollar Funds. To the extent of coming up with incentives for developers, she stated they have been reaching out to a large developer and recently they decided not to expand their footprint to Island County. Making things less complicated may be what we, as a community, might want to look at.

- Commissioner Enell spoke about the coalition in south Whidbey perhaps not charging fees.
- Keith said this conversation is exactly why this needs to be a larger community conversation to get ideas as a way of incentivizing affordable housing.
- Commissioner Hand stated goal H4.18 is extremely beneficial and glad to see it was added, however, words like "such as" or "may be" leaves it open to interpretation. He asked if there are requirements in the GMA that can strengthen the goals to state the methods will be used.
 - Meredith Penny replied that the wording is from the GMA and if it is the County's wish the wording can be made more concrete.

Discussion on Draft Parks and Recreation Element - The Parks and Recreation Element is the County's plan on managing parks and recreation facilities throughout the County; it includes the overall vision of how County parks will be managed and developed over the next 20 years.

Nathan Howard provided a brief description of the goals. Goals and policies are broader and the management of the program rather than the specific day to day tasks.

Planning Commission members made comments on the following topics:

- Ownership of parks and why certain recreation areas are not included in parks.
- Kettles, widely used; questioned why this was not somehow incorporated into a park since it is owned by the County. Does not get much management for the amount of use it gets.
- Need to identify public access and public parking. Monroe Landing was used as an example.
- Property views should be taken into account when considering parks or donations of land.
- Inadequate funding for park maintenance.
- The need to ask for funding when parks are being acquired.

Doug Coutts, Parks Director for South Whidbey Parks and Recreation District

Active recreation /passive recreation discussion is a really important one. Both need to be available. The issue you once again run into is funding by tax dollars, the funding is for current operation and there is no funding for new properties. The 2 districts are Oak Harbor; North Whidbey Parks and Rec and South Whidbey, which is about the size of the School District. If properties are being divested there needs to be a look at funding for maintenance.

PUBLIC COMMENT

Steve Erickson, WEAN

Mr. Erickson discussed the memorandum he submitted to the Planning Commission which discussed:

- Clarification of the criteria used to determine which County entity manages which park and which recreation system lands.
 - Some lands are formally designated as parks and are managed by Island County Parks. Some is not formally designated a park and is managed by Public Works.
 - Some policies that apply to all the recreation and habitat system lands, some only apply only to the formally classified park lands, etc. It is very confusing.
 - There needs to be some clear and standard policies which determine which County entities will be managing which lands. That is something that is lacking.
- Divesting of lands should include continuance of the conservation value of that land.
- The policy that refers to locating new shoreline accesses where neighbors will not be disturbed. Very unlikely to occur due to the reality that Island County shorelines are too developed already. It basically gives neighbors veto power. (Policy 4.7.9).
- Element is contradictory if the County will continue to acquire land.

Susan Bennett, Freeland

- Wanted to discuss Table 6, Habitat Acreage by Park Classification (# of Acres), the acres in one instance is minus 2 acres.
 - Staff responded the numbers were incorrect and they are working and updating it.
- Wanted to speak for better maintenance, apparently there is a nice policy in here that states there should be more money budgeted for maintenance of what we have.
- Definitions of active vs. passive recreation and priorities need to be refined.

Doug Coutts said there is a Park Zone, however, there is no process for taking a piece of land that is owned by the County or Park District and converting it to parks zoning. That is something they would like to see developed to be able to have that land taken and moved into a park zoning. Different activities can occur on different zones.

Doug explained that a Park District is a local unit of government. Park zoning would also help clean up the responsibilities.

Commissioner Hillers provided some typographical corrections and clarification.

Jan Van Muyden, the County Parks Superintendent, explained FETCH and what they do and which dog parks they help manage.

Planning Commissioner made the following remarks:

- Table 11, regarding funding, is very confusing on how funds are acquired.
- Due to the population projection, is there a need to expand the amount of available parks?
- What are the Growth Management Act requirements for parks?
- When discussing divestiture, is there a time to consider selling properties and where does the money go?
 - Steve Marx, Parks Director said when the money comes in it goes into the general fund. If a property is sold and it makes 250K the BOCC would then need to make a decision on where that money would go.

Brad Johnson said there is an opportunity for the Planning Commission to consider where the funding goes.

- Commissioner Enell said when GMA state law passed in the 90's to fund provisions of it, there were impact fees. Those fees then go to schools, roads, parks, etc.
 - Nathan Howard stated policy 7.3 Funding Strategies was adopted in 2011 but it does not seem to have been put into effect.
- Commissioner Hillers discussed the following: Policy 2.3.2 was out of logical order and suggested that it be put in alphabetical order, to give them some reference; 4.7.2 cross-references 4.7.1 which has been deleted; Policy 7.6, why does it state, "in the short term";
- Commissioner Hillers further asked staff to take a look and make sure Policy 8.6 and 8.10 did not overlap. Policy 9.2, encouraging community ownership, she questioned whether the intent was the community would take an interest in it, rather than meaning

actual ownership. It is not a good word to use in this document. Policy 9.6, if you are removing in the short or long term, the portion that states *this may be a part-time position that grows in the long term*; it should then be changed to say eventually expand, instead of stating long term.

Brad Johnson addressed the zoning discrepancies regarding Park Zones, staff is working on a solution to that issue. In 1998 Parks Zones were created on maps, the Comprehensive Plan sets forth criteria by which zoning designations are to be assigned and yet there are no criteria associated with the Parks Comp Plan designation. There is currently no way to create new Park Zones. Staff will be creating criteria for the Parks Zoning designation and/or listing parks as allowed uses in different zones. This will be brought forward at a later meeting.

Commissioner Enell moved to adjourn, Commissioner Krug seconded, motion carried unanimously.

Meeting adjourned at 4:17 p.m.

Respectfully submitted,

Paula Bradshaw

For further information listen to the official record of this meeting at <http://www.islandcounty.net/planning/planningcomm.htm>